

**FILED**

**APR 15 2014**

**SECRETARY, BOARD OF  
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF NEWFIELD PRODUCTION COMPANY FOR AN ORDER POOLING ALL INTERESTS IN FIVE DRILLING UNITS ESTABLISHED BY THE BOARD'S ORDERS ENTERED IN CAUSE NOS. 139-8 AND 139-90 IN SECTIONS 7, 9, AND 28, TOWNSHIP 3 SOUTH, RANGE 2 WEST, AND SECTIONS 8 AND 12, TOWNSHIP 3 SOUTH, RANGE 3 WEST, U.S.M., DUCHESNE COUNTY, UTAH

**JOINT STIPULATION FOR  
CONTINUANCE, CONSOLIDATION  
AND BRIEFING SCHEDULE AND  
CONFORMING MOTION FOR  
APPROVAL THEREOF**

Docket No. 2014-010  
Cause No. 139-115

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF NEWFIELD PRODUCTION COMPANY FOR AN ORDER AMENDING THE BOARD'S ORDER ENTERED IN CAUSE NO. 139-90 TO PROVIDE FOR RETROACTIVE APPLICATION TO THE RESPECTIVE DATES OF FIRST PRODUCTION FROM THE DRILLING UNITS ESTABLISHED THEREUNDER COMPRISED OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 2 WEST, USM, AND SECTION 12 OF TOWNSHIP 3 SOUTH, RANGE 3 WEST, U.S.M., DUCHESNE COUNTY, UTAH

Docket No. 2014-017  
Cause No. 139-116

COMES NOW, Newfield Production Company ("Newfield"), acting by and through its attorneys, MacDonald & Miller Mineral Legal Services, PLLC, and Van Cott, Bagley, Cornwall & McCarthy, and the Utah Division of Oil, Gas and Mining (the "Division"), acting by and through its undersigned assistant attorney general, and hereby jointly stipulate and agree with respect to the captioned Causes as follows:

1. The hearing on Docket No. 2014-017, Cause No. 139-116, scheduled for April 23, 2014 shall, with the Board's approval, be continued until May 28, 2014.

2. The captioned Causes shall, with the Board's approval, be consolidated for the sole purpose of argument, hearing on May 28, 2014 and decision on the issue of whether the Board has the authority to first amend the Board's Order entered in Cause No. 139-90 on May 9, 2012 to retroactively space the lands common to both Causes, and then pool the production interests therein, to the dates of first production of the Nickerson 6-28-3-2W Well (March 21, 2012) and the Odekirk 11-12-3-3W Well (April 14, 2012), respectively. The issue was raised by the Division's Memorandum in Opposition to Newfield's Request for Agency Action filed in Cause No. 139-116 on April 11, 2014 (the "Division's Objection"), but is material to both of the captioned Causes.

3. Newfield shall have until May 12, 2014 to file a brief in response to the Division's Objection.

4. The Division shall have until May 19, 2014 to file a reply brief to Newfield's responsive brief to the extent any new additional arguments or issues are raised thereby.

In accordance with the foregoing and pursuant to Utah Admin. Code Rule R641-605-300, Newfield and the Division jointly move for an order in conformance with the foregoing. A proposed conforming order is submitted herewith. No other party who will

likely be affected by the common issue has filed a response or otherwise made an appearance in either Cause.

Respectfully submitted this 15<sup>th</sup> day of April, 2014.

**NEWFIELD PRODUCTION COMPANY**

By: 

Frederick M. MacDonald, Esq.  
Of and for MacDonald & Miller Mineral Legal  
Services, PLLC

By: 

Thomas W. Clawson, Esq.  
Of and for Van Cott, Bagley, Cornwall &  
McCarthy

**UTAH DIVISION OF OIL, GAS AND  
MINING**

By: 

Steven F. Alder, Esq.

Assistant Utah Attorney General

FMM:nmc  
2000.23

**BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF NEWFIELD PRODUCTION COMPANY FOR AN ORDER POOLING ALL INTERESTS IN FIVE DRILLING UNITS ESTABLISHED BY THE BOARD'S ORDERS ENTERED IN CAUSE NOS. 139-8 AND 139-90 IN SECTIONS 7, 9, AND 28, TOWNSHIP 3 SOUTH, RANGE 2 WEST, AND SECTIONS 8 AND 12, TOWNSHIP 3 SOUTH, RANGE 3 WEST, U.S.M., DUCHESNE COUNTY, UTAH	<b>ORDER GRANTING CONTINUANCE AND CONSOLIDATION AND APPROVING BRIEFING SCHEDULE</b>  Docket No. 2014-010 Cause No. 139-115
IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF NEWFIELD PRODUCTION COMPANY FOR AN ORDER AMENDING THE BOARD'S ORDER ENTERED IN CAUSE NO. 139-90 TO PROVIDE FOR RETROACTIVE APPLICATION TO THE RESPECTIVE DATES OF FIRST PRODUCTION FROM THE DRILLING UNITS ESTABLISHED THEREUNDER COMPRISED OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 2 WEST, USM, AND SECTION 12 OF TOWNSHIP 3 SOUTH, RANGE 3 WEST, U.S.M., DUCHESNE COUNTY, UTAH	Docket No. 2014-017 Cause No. 139-116

The Board of Oil, Gas and Mining, having fully considered the Joint Stipulation for Continuance, Consolidation and Briefing Schedule and Conforming Motion for Approval Thereof filed by Newfield Production Company ("Newfield") and the Division of Oil, Gas and Mining (the "Division") on April 15, 2014, and finding good cause therefor, hereby grants said Motion and orders as follows:

1. The hearing on Docket No. 2014-017, Cause No. 139-116, scheduled for April 23, 2014 shall be continued until May 28, 2014.

2. The captioned Causes shall be consolidated for the sole purpose of argument, hearing on May 28, 2014 and decision on the issue of whether the Board has the authority to first amend the Board's Order entered in Cause No. 139-90 on May 9, 2012 to retroactively space the lands common to both Causes, and then pool the production interests therein, to the dates of first production of the Nickerson 6-28-3-2W Well (March 21, 2012) and the Odekirk 11-12-3-3W Well (April 14, 2012), respectively. The issue was raised by the Division's Memorandum in Opposition to Newfield's Request for Agency Action filed in Cause No. 139-116 on April 11, 2014 (the "Division's Objection"), but is material to both of the captioned Causes.

3. Newfield shall have until May 12, 2014 to file a brief in response to the Division's Objection.

4. The Division shall have until May 19, 2014 to file a reply brief to Newfield's responsive brief to the extent any new additional arguments or issues are raised thereby.

For all purposes, the Chairman's signature on a faxed copy of this Order shall be deemed the equivalent of a signed original.

DATED this \_\_\_\_ day of April, 2014.

**STATE OF UTAH  
BOARD OF OIL, GAS AND MINING**

By: \_\_\_\_\_  
Ruland J. Gill, Jr., Chairman

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